



Dkt. 37690-II-1-PCT-USA/JPW/AKC

BOARD OF PATENT APPEALS AND INTERFERENCES

Applicants : Gary Beaudry and Paul J. Maddon
Serial No. : 08/485,163 Examiner: K. Brown
Filed : June 7, 1995 Group Art Unit: 1812
For : CD4 GAMMA2 AND CD4-IgG2 CHIMERAS

1185 Avenue of the Americas
New York, New York 10036
February 9, 1998

Assistant Commissioner for Patents
Washington, D.C. 20231

SIR:

NOTICE OF APPEAL FROM THE EXAMINER'S DECISION TO THE BOARD OF
PATENT APPEALS AND INTERFERENCES

Applicants hereby appeals to the Board from the decision of the Examiner mailed August 7, 1997 finally rejecting pending claims 30-35 and 44-46 in the above-identified application.

Applicants have filed a Petition For A Three-Month Extension Of Time on February 9, 1998 together with the required fee. Since February 7, 1998 is a Saturday, under 37 C.F.R. §1.7 a response is due the next succeeding business day which is not a Saturday, Sunday, or a Federal holiday, i.e., February 9, 1998. Therefore, a response to the August 7, 1997 Final Office Action is now due February 9, 1998. Accordingly, the subject application is pending today and this Notice of Appeal is being timely filed.

The required fee for filing a Notice of Appeal is ONE HUNDRED AND FIFTY-FIVE DOLLARS (\$155.00) for a small entity. Applicants have previously established small entity status and it is still applicable. Applicants enclose a check to cover the required fee in the amount of ONE HUNDRED AND FIFTY-FIVE DOLLARS (\$155.00).

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If any additional fee is necessary in connection with the filing of this Notice of Appeal, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

Albert Wai-Kit Chan

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Albert Wai-Kit Chan

2/9/98

Albert Wai-Kit Chan
Reg. No. 36,479

John P. White
Registration No. 28,678
Albert Wai-Kit Chan
Registration No. 36,479
Attorneys for Applicant(s)
Cooper & Dunham, LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400